

ENTERED

July 10, 2023

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION

UNITED STATES OF AMERICA,	§	
	§	
Plaintiff,	§	
	§	No.: 1:12-CR-435-S1
v.	§	
	§	
TOMAS YARRINGTON RUVALCABA,	§	
	§	
Defendant.	§	

AGREED FINAL ORDER OF FORFEITURE

Pending before the Court is the parties' Joint Motion for Agreed Final Order of Forfeiture. Having considered the motion, the record of the government and Petitioners Juan Gonzalez Garza and Juan Manuel Garza ("Petitioners"), the Court makes the following findings:

1. On May 22, 2013, a Superseding Indictment was entered against Defendant Tomas Yarrington Ruvalcaba ("Defendant") alleging illegal drug importation and distribution, money laundering, bank fraud and structuring of currency transactions (DE 20).
2. On March 25, 2021, the Defendant plead guilty to money laundering, as charged in Count Three of the Superseding Indictment, in violation of Title 18 USC, § 1956(h) (DE 166). At this time, the Defendant agreed to forfeit any interest of any property listed in the Superseding Indictment (Id. 8-9), specifically 149 Windward Drive, Port Isabel, Texas, 78578 (the "Subject Property"), and legally described as:

LOT ONE (1), BLOCK (1), RACE SUBDIVISION, CITY OF PORT ISABEL, CAMERON COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN CABINET 1, SLOT 1681-B, MAP RECORDS OF CAMERON COUNTY, TEXAS.

3. That same day, the Court entered an order of forfeiture against the Defendant's interest in the Subject Property.

4. A copy of the Notice of Forfeiture was posted on the Subject Property on June 2, 2021 (DE 205 at 8). On that same date, the United States also personally served all potential claimants, as required by Rule G(4)(b) of the Supplemental Rules, with a Notice of Preliminary Order of Forfeiture and a copy of the Preliminary Order of Forfeiture (DE 205). Specifically, Miguel Alberto Trevino Guevera was served on June 2, 2021, and Daniel Sampayo Sanchez was served on June 13, 2021 (Id).

5. On July 8, 2021, Petitioners Juan Gonzalez Garza and Juan Manuel Garza filed a petition alleging a legitimate interest in the Subject Property (DE 168).

6. The United States published notice of the Preliminary Order of Forfeiture on an official government website for at least 30 consecutive days beginning March 31, 2021 (DE 202). The time for 3rd party filings based on the publication notice has expired.

Having considered the motion, the record, and the applicable law, the Court has decided to GRANT the parties' Joint Motion for Final Order of Forfeiture.

It is, therefore, ORDERED that:

A. The real property commonly known as 149 Windward Drive, Port Isabel, Texas, 78578, as legally described above, is awarded to Juan Gonzalez Garza and Juan Manuel Garza , to include all right, title and interest;

B. Miguel Alberto Trevino Guevara and Daniel Sampayo Sanchez are held in default and have no legal right, title, or interest in the Subject Property or in the \$85,000 payment in lieu of the Subject Property.

C. The Petitioners are ordered to pay \$85,000 to the United States within sixty days of this order by a cashier's check payable to Customs and Border Protection;

D. Upon receipt of the \$85,000, the United States shall release the lis pendens on the

Subject Property;

E. The \$85,000 is forfeited to the United States in lieu of the Subject Property.

F.. The Petitioners shall receive no further consideration from the United States;

Petitioners are responsible for all property taxes and other liens on Subject Property.

G. The Clerk of the Court shall forward three certified copies of this Order to the United States Attorney's Office, Attention: Jon Muschenheim, Assistant United States Attorney, 800 N. Shoreline Blvd., Suite 500, Corpus Christi, Texas 78401.

THIS IS A FINAL ORDER

July

SO ORDERED this 10th day of ~~June~~, 2023, at Brownsville, Texas.



Rolando Olvera
United States District Judge